IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1670 OF 2004

Mulund Cemetary Committee ..Petitioner.
Vs.
The Commissioner,
Municipal Corporation of Greater Mumbai & Ors. .. Respondents.

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Mr. Joaquim Reis i/b Mr. N.G. Raut and Mrs. G.P. Vas for the petitioner.
Ms. P.A. Purandare for respondent Nos.1 and 2.
Mr. M.D. Naik, AGP, for respondent Nos.3 and 4.
Mr. Rajeev Chavan with Mr. Suresh Kumar for respondent Nos.5 to 8.

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CORAM : DALVEER BHANDARI, C.J.&
DR.D.Y.CHANDRACHUD, J.
15th December, 2004.

P.C. :

This petition has been filed by the Mulund Cemetery Committee, a society representing Christian population residing at Mulund and other North Eastern suburbs of Mumbai, with a prayer that the Corporation be directed to complete the construction within such period of time as stipulated by the Court of the composite cemetery and of the approach road for the same.

2. This Court issued show cause notice. Reply to the writ petition has been filed. The learned counsel appearing for the

Union of India has placed on record a letter dated 9th November, 2004 which reads as under :

> "I am directed to refer your letter No.6 (10)/P/2000 dated 29.10.2004 and to convey N. O. C. of this department for use of 300 square meters of salt pan land at Mulund (East) Mumbai for construction of approach road to the composite cemetery by the State Government of Maharashtra.
>
> You are requested to take all necessary steps to file a reply in W.P. No.1670/2004 (Mulund Cemetery Committee V/s. Commissioner, MCGM & Others) on or before next hearing i.e. 10.11.2004. Outcome of the case may be reported to this department, immediately."

3. The learned counsel for the Union of India submits that the possession of the land would be given to the Corporation within four weeks from today. We direct the Corporation to complete the development of the area within a period of two months thereafter.

4. We must record our deep sense of appreciation for the counsel appearing for the Union of India, for making special efforts to ensure that the problem is sorted out. No further directions are necessary. The petition is accordingly disposed of.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD,
J.